

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JAMEL ALLEN,

Plaintiff,

v.

CAPT. SAKELLARDIS, C.O. CRESPO, AND
C.O. MERCED,

Defendants.

02 Civ. 4373 (RJH) (DCF)

**DECLARATION OF
KOREN L. BELL**

KOREN L. BELL declares, pursuant to 28 U.S.C. § 1746, as follows:

1. I am an attorney at Paul, Weiss, Rifkind, Wharton & Garrison LLP (“Paul, Weiss”), counsel for Plaintiff Jamel Allen in the above-captioned action. I submit this Declaration in support of Mr. Allen’s opposition to defendants’ motion, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, for revision of this Court’s March 28, 2007 decision denying Defendant Merced summary judgment on Mr. Allen’s malicious prosecution claim.
2. Attached hereto as Exhibit A is the Declaration of Kenneth P. Olsen.
3. Attached hereto as Exhibit B is a true and correct copy of the transcript of the June 1, 2001 parole revocation hearing.
4. Attached hereto as Exhibit C is a true and correct copy of the June 1, 2001 parole revocation decision notice.

Dated: New York, New York
March 13, 2008

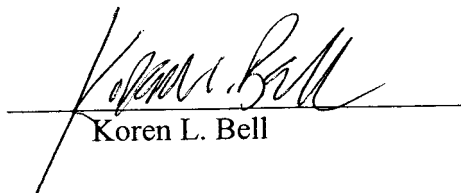

Koren L. Bell

EXHIBIT A

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JAMEL ALLEN,

Plaintiff,

v.

CAPT. SAKELLARDIS, C.O. CRESPO, AND
C.O. MERCED,

Defendants.

02 Civ. 4373 (RJH) (DCF)

**DECLARATION OF
KENNETH P. OLSEN**

KENNETH P. OLSEN declares, pursuant to 28 U.S.C. § 1746, as follows:

1. I am the attorney that represented Plaintiff Jamel Allen at the parole revocation hearing on June 1, 2001 before Judge Luis Meringolo. I submit this Declaration in further support of Mr. Allen's Supplemental Opposition to Defendants' Motion for Revision of this Court's Memorandum and Order Denying Defendant Summary Judgment on Plaintiff's Malicious Prosecution Claim.

2. From 1973-2001, I was an Attorney in New York State, and a member of the New York State Bar Association, specializing in criminal law. In particular, from 1973-1977, I was an Assistant District Attorney in the Bronx, New York. From 1988-2001, I specialized in representing parolees before the New York State Division of Parole. In 2001, I retired from the practice of law and moved to Naples, Florida.

3. Over the course of my legal career, I represented parolees in thousands of hearings before the New York State Division of Parole. As a result, I am familiar with all aspects of the parole revocation process. In particular, I am familiar with the mechanics of parole revocation sentencing.

4. Based on my experience, I understand how the mechanics of parole revocation sentencing apply to a parolee like Mr. Allen, who has been convicted and sentenced in federal court, remanded on a charge of New York State parole violation arising from the federal conviction, and sentenced to a revocation of parole on the basis of the federal conviction. I know that, as a matter of practice, this parolee will serve his state revocation sentence together with his federal sentence in federal custody. This “de facto concurrent sentence scheme,” as I will refer to it here, is a commonly-accepted procedure that saves the State of New York a great deal of money in correctional costs.

5. In the course of my career, I represented numerous parolees who were sentenced to a revocation of parole after being sentenced to federal time for a crime that gave rise to the New York State parole violation. It is my understanding that, in fact, these parolees were typically released to federal custody following their parole revocation hearings in order to serve their state parole revocation sentences concurrently with their federal sentences in federal custody.

6. Jamel Allen was one of the parolees that I represented following federal sentencing for a crime that gave rise to a charge of New York State parole violation. I remember Mr. Allen, and I have refreshed my memory of his case by reviewing the transcript of the June 1, 2001 parole revocation hearing before Judge Luis Meringolo (Exhibit B to the attached Declaration of Koren Bell (“Bell Decl.”)), and the June 1, 2001 Parole Revocation Decision Notice signed by Judge Meringolo and the Commissioner of the New York State Division of Parole (Exhibit C to the attached Bell Decl.).

7. Based on my review of these materials, it is clear to me that Judge Meringolo, my client, Mr. Allen, and I were all operating under the assumption that Mr. Allen's "hold-to-max" parole revocation sentence would be served together with his seventeen-year federal sentence in federal custody, as was customary in this situation. Specifically, although I was aware of the Bronx assault case that was pending against Mr. Allen at the time of the parole revocation hearing (the case had been filed the previous month, in May 2001), I believed this to be a "misdemeanor case," as I stated to the Judge at the time (Bell Decl., Exh. B, at 9). Based on my experience, and the underlying facts of the Bronx case (Mr. Allen allegedly having kicked Corrections Officer Merced in the lower leg), I assumed that the pending "misdemeanor case" would either be promptly dismissed or that any resulting sentence would have merged with Mr. Allen's remaining State time, as a matter of New York State law. Therefore, at the time of the hearing, I believed that this new "misdemeanor case" would not alter the de facto concurrent sentence scheme as it applied to Mr. Allen.

8. Based on my review of the transcript, I see that I negotiated a plea agreement for Mr. Allen with Parole Revocation Specialist Joseph Lake in advance of the hearing. Pursuant to this plea agreement, Mr. Allen pled guilty to one of the six parole violation charges brought against him, and the other charges were dismissed. We agreed, nevertheless, that Mr. Allen would be sentenced to the maximum time remaining on his state sentence. I would have advised Mr. Allen to accept such a plea only because of the knowledge that, in practice, the maximum time remaining on his state sentence would run together with his (much longer) federal sentence in federal custody, in accordance with the de facto concurrent sentence scheme that applied in this type of case. The transcript

reflects this rationale. *See* Bell Decl., Exh. B, at 6 (“Judge, we’re accepting this finding with the recommendation of a hold to max mainly because my client is in serving a new seventeen year federal sentence and he will be maxing out while he’s in federal custody. So that’s why we are going with the hold-to-max in this case.”) (emphasis added).

9. At the time of the hearing, Parole Revocation Specialist Lake appears to have shared my understanding that Mr. Allen would serve his parole revocation sentence together with his federal sentence. *See* Bell Decl., Exh. B, at 6 (“Your Honor, I agree with what Mr. Olsen has says [sic], I have nothing further to add.”).

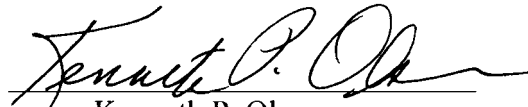
10. It is clear to me that Judge Meringolo, too, operated under the assumption that Mr. Allen’s parole revocation sentence would be served concurrently with his federal sentence in federal custody. At the parole revocation hearing, Judge Meringolo ruled that Mr. Allen was “going to complete his parole while in federal custody” (Bell Decl., Exh. B, at 7) (emphasis added).

11. Further, in the “Analysis and Decision” section of the Parole Revocation Decision Notice, which was signed by Judge Meringolo and the Commissioner of the New York State Division of Parole, Judge Meringolo wrote: “Parolee will max out in federal custody. Therefore, hold to max is warranted” (Bell Decl., Exh. C, at 4) (emphasis added). In other words, Judge Meringolo believed that Mr. Lake’s and my joint recommendation that Mr. Allen be sentenced for the maximum time remaining on his state sentence was “warranted,” at least in part, because Mr. Allen would serve this sentence together with his federal sentence in federal custody.

12. Based on the foregoing, I believe that, had it not been for the new Bronx assault case against Mr. Allen that was pending at the time of the June 1, 2001 parole revocation hearing – and that remained pending for nearly thirteen months, until it was dismissed on June 28, 2002 – Mr. Allen would have been released to federal custody following the June 1, 2001 hearing in order to begin serving his parole revocation sentence concurrently with his seventeen-year federal sentence in federal custody, as was customary in this type of case.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Naples, Florida
February 26, 2008



Kenneth P. Olsen

EXHIBIT B

1 THE STATE OF NEW YORK
2 DIVISION OF PAROLE

3 -----x

4 In the Matter of the Parole :
5 Revocation Hearing of : NYSID No. 6146663R
6 JAMEL ALLEN : Violation Control
7 : No. 226086
8 Parolee.
9 :
10 -----x

11
12 Held on: June 1, 2001
13 At: Rikers

14 B E F O R E :

15 ADMINISTRATIVE LAW JUDGE LUIS MERINGOLO

16 A P P E A R A N C E S:

17 JAMEL ALLEN, Parolee

18 MR. JOSEPH LAKE
19 PAROLE REVOCATION SPECIALIST
20 Bronx Six

21 MR. KENNETH OLSEN, ESQ.
22 Attorney for the Parolee

23 Transcribed by:

24 Vicki Valente
25

1 THE COURT: All right. We're on the record
2 now in the matter of Jamel Allen. NYSID number 6146663R,
3 warrant 226086. May I have your appearances for the
4 record.

5 MR. LAKE: Parole Revocation Specialist
6 Joseph Lake, Bronx Six.

7 MR. OLSEN: Kenneth Olsen, for Mr. Allen.
8 Say your name for the record, please.

9 MR. ALLEN: Jamel Allen.

10 THE COURT: All right. My name is Luis
11 Meringolo. I'm the Administrative Law Judge assigned to
12 this case today. The purpose of this hearing is to
13 determine whether you violated the terms and conditions of
14 your release in an important respect. If such is found to
15 be the case, I will either make an appropriate
16 recommendation to the Board or a final decision,
17 concerning what should be done with the unserved portion
18 of your underlying sentence. Do you understand why you're
19 here today?

20 MR. ALLEN: Yes.

21 THE COURT: Both sides are ready to proceed?

22 MR. LAKE: Yes, Judge.

23 MR. OLSEN: Yes.

24 THE COURT: All right. Please raise your
25 right hands. Do you swear or affirm the testimony you

1 give today is the truth and nothing but the truth?

2 MR. LAKE: Yes.

3 THE COURT: Yes?

4 MR. ALLEN: Yes.

5 THE COURT: All right. I have certain
6 documents that have to be put into the record. Mr. Lake,
7 you're Manhattan what?

8 MR. LAKE: Bronx Six, Your Honor.

9 THE COURT: Bronx Six, I'm sorry. All
10 right. I need -- he wasn't a Shock or anything like
11 that, or anything?

12 MR. LAKE: No, Your Honor.

13 THE COURT: Okay. I have certain documents
14 that have to be placed into the record. They are and
15 include number one, a Violation of Release Report
16 containing six charges. Six charges, is that correct?

17 MR. LAKE: Yes, Your Honor.

18 THE COURT: All right. Notice of Violation,
19 a case summary and a Certificate of Release to Parole
20 Supervision which indicates that you were paroled on a
21 criminal possession of a controlled substance charge. Has
22 your client received a copy of these documents in a timely
23 fashion?

24 MR. OLSEN: Yes, Judge.

25 THE COURT: Any question of notice in this

1 case?

2 MR. OLSEN: No, Judge.

3 THE COURT: All right. Mr. Lake, did you
4 review the documents read into the record?

5 MR. LAKE: Yes, Your Honor.

6 THE COURT: Were they prepared in the
7 ordinary course of business of the Division of Parole?

8 MR. LAKE: Yes.

9 THE COURT: And do you attest to the truth
10 and accuracy of the contents of the documents to the best
11 of your knowledge and ability?

12 MR. LAKE: Yes, I do.

13 THE COURT: All right. I'm going to mark
14 this into evidence as State's Exhibit One.

15 (Whereupon, these documents were marked
16 into evidence as State's Exhibit One)

17 THE COURT: And I note, sir, that this is
18 the accusatory instrument in this case and it charges you
19 for violating the terms and conditions of your release in
20 an important respect. Counsel, have you advised your
21 client of his rights at this hearing?

22 MR. OLSEN: Yes.

23 THE COURT: The record should reflect there
24 was a pre-hearing conference and a plea bargain was agreed
25 to. The parolee has agreed to plead guilty to charge

1 number three and in return, the Division has agreed to
2 withdraw the remaining charges with prejudice. I've
3 agreed that the parolee is a Category One, as a result of
4 a Federal gun conviction and I'm going to impose a hold of
5 the maximum expiration of the sentence. Is that
6 everyone's understanding of this plea arrangement?

7 MR. LAKE: Yes.

8 MR. OLSEN: Yes, Judge.

9 THE COURT: Notwithstanding what I just
10 said, sir, there are four ways in which you can plead.
11 One, is guilty; two, not guilty; three, guilty with an
12 explanation; or four, you can stand mute. In other words,
13 not say anything and in which case I would interpret that
14 as a not guilty plea. I'll read the charge. Charge
15 three, Jamel Allen violated rule nine of the rules
16 governing parole in that on or - - on or about 4-27-1999,
17 at approximately 5:05 p.m., at 3485 Balonia (phonetic)
18 Street, Number 17F, Bronx, New York, he was in possession
19 of an AK-47 rifle. How does your client plead to that?

20 MR. OLSEN: Guilty, as a violation of parole
21 in an important respect.

22 THE COURT: Okay. Now, based upon the
23 parolee's plea which you just heard, Mr. Lake, does the
24 Division withdraw the remaining charges with prejudice?

25 MR. LAKE: Yes, Your Honor.

1 THE COURT: Based upon the parolee's plea,
2 the violation is sustained. I find it to be a violation
3 in an important respect. The delinquency date is 4-27-
4 1999 is sustained. Recommendations?

5 MR. OLSEN: Judge, we're accepting this
6 finding with the recommendation of a hold to max mainly
7 because my client is in serving a new seventeen year
8 Federal sentence and he will be maxing out while he's in
9 Federal custody. So, that's why we're going with the hold
10 to max in this case.

11 THE COURT: Mr. Lake, do you want to add
12 something to this?

13 MR. LAKE: No, Your Honor, basically, what
14 Mr. Olsen said is correct. In 1990, he did have a
15 robbery, first degree for which he was sentenced to a one-
16 three year sentence, and that's what made him a Category
17 One.

18 THE COURT: Right.

19 MR. LAKE: Your Honor, I agree with what Mr.
20 Olsen has says, I have nothing further to add.

21 THE COURT: All right. Mr. Allen is serving
22 a sentence of three to six, three years and six years for
23 attempted criminal possession of a controlled substance in
24 the third degree. He is a Category One as a result of a
25 robbery, robbery one in his history. He has a new arrest

1 pending in the Bronx, that case is pending. He was
2 sentenced to seventeen years in Federal prison which is
3 approximately 214 months. It's his first violation. He's
4 going to complete his parole while in Federal custody.
5 It's a joint recommendation, he plead guilty to charge
6 number three and I'm going to hold him to the maximum
7 expiration of his sentence. If there's nothing further - -

8 MR. LAKE: Your Honor, I thought you said
9 that he had a pending case in the Bronx?

10 THE COURT: That's what it says on the
11 sheets here.

12 MR. LAKE: Judge, but that was back in 1999.
13 That is the same case for which he's been found Federally
14 guilty. So, therefore, that case is closed at the time -
15 - he has - -

16 MR. OLSEN: No, he also has - -

17 MR. LAKE: - - a new arrest for assault for
18 which he got - - when but he got returned here.

19 MR. OLSEN: Right.

20 MR. LAKE: In 2001, but that's not in his
21 notes. His notes, he's talking about the 1999 pending
22 case which was turned over to the Feds, Your Honor.

23 MR. OLSEN: Yeah, that's what he was found
24 guilty of in Federal court.

25 THE COURT: All right. So, he has no

1 Federal case - - no Bronx case anymore.

2 MR. LAKE: He does have a Bronx case.

3 MR. OLSEN: He does have a Bronx case.

4 MR. LAKE: But it's a 2001 arrest.

5 THE COURT: Oh, all right.

6 MR. LAKE: Not the 1999 arrest.

7 THE COURT: I didn't say 1999 arrest.

8 MR. LAKE: But how would you know about the
9 2001 when he just got it last month, Judge?

10 THE COURT: I just read it off the Notice of
11 Violation. I assumed this was done recently.

12 MR. LAKE: Right, but the note deals with
13 1999.

14 THE COURT: All right, but there is an
15 arrest in 2001.

16 MR. LAKE: In 2001.

17 MR. OLSEN: Right.

18 MR. LAKE: Just last month, it's an assault
19 case that's pending.

20 THE COURT: While he was in prison this
21 happened?

22 MR. LAKE: While he was returned back to
23 Riker's Island, yes.

24 MR. OLSEN: Any arrest that takes place in
25 Riker's Island, are Bronx's jurisdiction.

1 THE COURT: So, it was in Riker's Island.

2 MR. OLSEN: It's a misdemeanor case in the
3 Bronx.

4 THE COURT: That the assault occurred.

5 MR. OLSEN: Correct.

6 THE COURT: All right. I'm holding you to
7 max. If there's nothing further, we can go off the
8 record.

9 MR. OLSEN: Thank you, Your Honor.

10 MR. LAKE: Thank you.

11
12 The foregoing is a correct and
13 true transcript of the hearing
14 in the within matter.

15 Vicki Valente

16 Vicki Valente
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EXHIBIT C

New York State Division of Parole
PAROLE REVOCATION DECISION NOTICE

2479909809

APPENDIX

REASONS FOR RECOMMENDATION
OF DELINQUENT TIME ASSESSMENT WHICH REQUIRES BOARD ACTION

Name James Allen Area Office Bx 6
 NYSDP # 444444 Hearing Location NYC-1
 Warrant # 220001 Hearing Date 6/1/2001
 DIN# 96R 220001

- A () Conditional Release - and - Crime of Commission is a Violation (Penal Law Definition) - Category 1 (a)
 B () Crime of Commission is a Penal Law Article 125 Offense - Category 1 (c)
 G () Crime of Commission is a Penal Law Article 130 OR 263 Offense OR Section 255.25 of the Penal Law - Category 1 (d)
 D () Current Sustained Violation Involves the Use of or the Threatened Use of a Deadly Weapon or Dangerous Instrument or the Infliction or Attempted Infliction of Physical Injury Upon Another or the Possession of a Firearm, or Threats Toward Division of Parole Staff or Peace Officers - Category 1 (f)
 E () Failed to complete Willard DTC Program (GUIDELINES DO NOT APPLY)
 F () Sentenced Pursuant to Criminal Procedure Law Section 410.01 to a Sentence of Parole Supervision (GUIDELINES DO NOT APPLY)
 G () Revoke and Restore Recommendation
 H () Conditionally Excluded for Deportation Only (GUIDELINES DO NOT APPLY)

Recommendation: 1 Time Assessment 18 months.
2 Revoke and Restore

REASONS:

James Allen, born 1/1/1961, is a male, white, 5'10", 175 lbs, with blue eyes and brown hair. He is currently on parole from the State of New York, having been sentenced to 15 months for a violation of the terms of his parole. He is currently residing at 1234 5th Avenue, New York, NY 10001. He is currently employed as a security guard at 1234 5th Avenue, New York, NY 10001. He is currently on parole from the State of New York, having been sentenced to 15 months for a violation of the terms of his parole. He is currently residing at 1234 5th Avenue, New York, NY 10001. He is currently employed as a security guard at 1234 5th Avenue, New York, NY 10001.

Date: 6/1/2001 Signature [Signature]
 Name James Allen
 Title Administrative Law Judge

I (X) ALJ Recommendation Affirmed

J () ALJ Recommendation Modified as Follows

- 1 () Revoke and Restore
 2 () Hold 18 Months

Reasons for modification or statement of any special conditions that are imposed:

Date: 6/1/2001 Commissioner
 Date: 6/1/2001 Commissioner

NOTICE: YOU HAVE THE RIGHT TO APPEAL THIS DECISION.

DISTRIBUTION
 100 - AREA OFFICE/CLERK, 100 - ALJ'S BUREAU/CLERK, 100 - TOLSON - ATTORNEY, 100 - RELEASE, 100 - ADMINISTRATIVE LAW JUDGE/CLERK

226016

Was release mandatory Willard
yes but exempted no

For Those Persons Who Have Incurred A Violation Of Their Release Upon The Controlling Conviction And Would Otherwise Be Subject To The Penalties Authorized Under N.Y.C.A.R. 8005.20; (2) and (3), a Time Assessment Not to Exceed 12 Months Shall Be Imposed.

4 Years 7 Months 4 Days

Criminal Testimony of	Exhibits

E () Charges _____ () _____ () _____ () not approved by the
Board for prosecution.

NOTICE: Guidelines For Dispositions To Be Made After Parole Has Been Revoked And A Final Hearing Are Contained In Rule and Regulation 9 NYCRR-Subtitle CC-Part 8005.20, Effective October 30, 1987, Amended (c), (d)

DISTRIBUTION
Info - ANSA OFFICE BUREAU; Gen - ALERTS BUREAU/CENTRAL FILE; Yes - RETURN; No - RELEASE; Gen - ADMINISTRATIVE LIAISON/COIN MESSAGE

New York State Division of Parole
PAROLE REVOCATION DECISION NOTICE

Name Jamelle Miller Area Office Bx 6
 NYSID# 61 466 3R Hearing Location KIX 1
 Warrant # 226 3876 Hearing Date 6/1/2001
 Attorney Ken O'Shea Esq SHOCK RELEASEE Yes ☒ No
 Contested: Yes ☒ No
 In Absentia: Yes ☒ No

- I. PAROLE BOARD ACTION REQUIRED:**
- A () Conditional Release, and - crime of conviction is a violent felony (Penal Law definition) - Category 1 (a)
 - B () Crime of Conviction is a Penal Law Article 125 Offense - Category 1 (c)
 - C () Crime of Conviction is a Penal Law Article 130 OR 263 Offense OR Section 255.25 of the Penal Law - Category 1 (d)
 - D (X) Current Sustained Violation involves the Use of or the Threatened Use of a Deadly Weapon or Dangerous Instrument or the Infliction or Attempted Infliction of Physical Injury Upon Another or the Possession of a Firearm, or Threats Toward Division of Parole Staff or Peace Officers - Category 1 (f)
 - E () Failed to complete Willard DTC Program (GUIDELINES DO NOT APPLY)
 - F () Sentenced Pursuant to Criminal Procedure Law Section 410.91 to a Sentence of Parole Supervision (GUIDELINES DO NOT APPLY)
 - G () Revoke and Restore Recommendation
 - () Voluntary Willard DTC on Consent
 - Shock Release Yes ☐ No ☐
 - () Exceptional Mitigating Circumstances
 - () Absconder - Voluntary Surrender
 - () Attorney Request Pending Criminal Charge
 - () Shock Release (Other Than Mandatory Willard Cases)
 - H () Conditionally Paroled for Deportation Only (GUIDELINES DO NOT APPLY)

II () NO BOARD ACTION REQUIRED:

- A (X) Category 1 - Felony Offense
- () Crime of Conviction is a Class A-I Felony Offense - Category 1 (b)
 - () Parole - and - Crime of Conviction is a Violent Felony Offense Involving the Use or Threatened Use of a Deadly Weapon or Dangerous Instrument or the Infliction of Physical Injury Upon Another:
 - OR -
 - In Any Manner Released Upon a Youthful Offender Adjudication For Any Offense Identified Below Involving the Use or Threatened Use of a Deadly Weapon or Dangerous Instrument or the Infliction of Physical Injury Upon Another - Category 1 (e)
- Offenses: PL 70.02-VFO; Any Class A-I Felony Offense; PL 125; PL 130; PL 263; and PL 255.25.
- (X) Criminal Record Includes VFO Convictions or YQ Adjudications, Involving the Use or Threatened Use of a Deadly Weapon or Dangerous Instrument, or the Infliction of Physical Injury Upon Another, or Felony Offense Convictions under Articles 130 or 263 of the Penal Law or Section 255.25 of the Penal Law, and/or Convictions for any other offense involving the Use or Threatened Use of a Deadly Weapon or Dangerous Instrument or the Infliction of Physical Injury Upon Another, any period of time during which the person was incarcerated shall be excluded - Category 1 (g)
- B () Category 2 - Mandatory Willard DTC Program - (Includes Shock Releases)
- () Crime of Conviction is a Penal Law Article 280 or 221 Offense Other than a Class A-I Felony
 - () Crime of Conviction is not a Penal Law Article 220 or 221 Offense, and is not a VFO or Class A Felony, and the Current Sustained Violation(s) is Rule 11 or 8 (Drugs) or Special Condition - No Alcohol
- Exemptions:
- () Time Remaining on Sentence as of Warrant Lodge Date is Less than Nine Months
 - () Pending Criminal Charges as of Final Hearing Date
 - () Medical/Psychiatric Ineligibility
 - () Exceptional Mitigating Circumstances (Revoke and Restore - BOARD ACTION REQUIRED)
 - () Persistent Violators

DISTRIBUTION
 WFO - AREA OFFICE/HEADQUARTERS, SWS - ALBANY SUPERINTENDENT, FILE - ATTORNEY, FFO - RELEASE, SDO - ADMINISTRATIVE LAW ADJUDICATOR

James Allen Warrant #: 226086

AS AND DECISION

*Little is planning to go to by the 1st of April 2001.
 Parker is a category 1 violator and a threat
 to the community and a threat to the public.
 There is a 1st Violation. He has a present and
 pending case as a result of a conviction which occurred
 in Kentucky.*

*Parker is 17 years old (214 pounds)
 Parker pleads guilty to charge #2.
 James recommends
 Held to ME*

*Parker will move out to local custody. Therefore
 Held to MAX is warranted.*

- A () DELINQUENT TIME ASSESSMENT RECOMMENDED TO BOARD, SEE ATTACHED ADDENDUM - REASONS FOR RECOMMENDATION WHICH REQUIRE BOARD ACTION.
- B () DELINQUENT TIME ASSESSMENT IMPOSED _____ MONTHS. *Held to ME*
- C () REVOKE AND RESTORE MANDATORY WILLARD DTG PROGRAM

NOTE: Estimated Delinquent Time Assessment (DTA) date is the date of this date you are eligible for re-release consideration by the Parole Board. This may occur while you are either in local custody or following your return to a State correctional facility. This date is not to be interpreted as an established release date.

Date: 6/1/2001

Signature: *[Signature]*

Name: *Max Goldberg*

Title: *PEP*

NOTICE: YOU HAVE THE RIGHT TO APPEAL THIS DECISION.

DEFENDANT: *[Name]* COURT: *[Court]* COUNTY: *[County]* JUDGE: *[Judge]* ATTORNEY: *[Attorney]* PUBLIC DEFENDER: *[Public Defender]* ADMINISTRATIVE LAW BOARD: *[Administrative Law Board]*